

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

ZACHARY CURTIS DANIEL

PLAINTIFF

v.

Civil No. 06-5010

CORPORAL TRIMBERGER;
SGT. CAMERON; LT. MUGGY;
and SHERIFF TIM HELDER

DEFENDANTS

O R D E R

Now on this 16th day of August, 2007, comes on for consideration the **Report and Recommendation of the Magistrate Judge, Hon. James R. Marschewski** (document #24, filed July 26, 2007), in this matter, to which no objections have been filed, and the Court, having carefully reviewed said Report and Recommendation, finds that it is sound in all respects, and that it should be adopted *in toto*.

IT IS THEREFORE ORDERED that the **Magistrate Judge's Report and Recommendation is adopted in toto**.

IT IS FURTHER ORDERED that, for the reasons stated in the Magistrate Judge's Report and Recommendation, defendants' motion for summary judgment (Doc. 14) is hereby **granted in part and denied in part**. It is granted with respect to Sgt. Cambron and Lt. Muggy and all claims against them are dismissed.

IT IS SO ORDERED.

/s/Jimm Larry Hendren
HON. JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE